

**PATENT**

Attorney Docket No.: 402956

Express Mail Label No.: EV 008783365 US

for a three month extension of time under 37 C.F.R. § 1.136(a) to extend the period of response to July 24, 2002.

**IN THE CLAIMS**

Please add the following new claims:

105. (New) A fluid composition suitable for use as an aircraft hydraulic fluid, comprising:
- (a) a fire resistant phosphate ester base stock;
  - (b) a viscosity index improver in a proportion of between about 3% and about 10% by weight of the fluid composition, the viscosity index improver comprising a poly(alkyl methacrylate) polymer ester, and the alkyl substituent comprises from 1 to 24 carbon atoms;
  - (c) an anti-erosion agent in a proportion of between about 0.02% and about 0.08% by weight of the fluid composition, the anti-erosion agent comprising an alkali metal salt of a perfluoroalkyl sulfonic acid, wherein the alkyl substituent comprises from 5 to 12 carbon atoms;
  - (d) an acid scavenger in a proportion of between about 1.5% and about 10% by weight of the fluid composition, the acid scavenger comprising an epoxide compound;
  - (e) a 2,4,6-trialkylphenol in a proportion of between about 0.1% and about 1.0% by weight of the fluid composition;
  - (f) a di(alkylphenyl)amine in a proportion of between about 0.3% and about 1.0% by weight of the fluid composition; and
  - (g) a hindered polyphenol selected from the group consisting of bis(3,5-dialkyl-4-hydroxyaryl)methane, 1,3,5-trimethyl-2,4,6-tris(3,5-di-tert-butyl-4-hydroxyaryl)benzene and mixtures thereof in a proportion of between about 0.3% and about 1.0% by weight of the fluid composition.

106. (New) A fluid composition suitable for use as an aircraft hydraulic fluid, comprising:

- (a) a fire resistant phosphate ester base stock comprising a phosphate ester selected from the group consisting of triaryl phosphates, trialkyl phosphates, dialkylaryl phosphates, diarylalkyl phosphates and mixtures thereof;

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(b) a viscosity index improver in a proportion of between about 3% and about 10% by weight of the fluid composition, the viscosity index improver comprising a poly(alkyl methacrylate) polymer ester, and the alkyl substituent comprises from 1 to 24 carbon atoms;

(c) an anti-erosion agent in a proportion of between about 0.02% and about 0.08% by weight of the fluid composition, the anti-erosion agent comprising an alkali metal salt of a perfluoroalkyl sulfonic acid, wherein the alkyl substituent comprises from 5 to 12 carbon atoms;

(d) an acid scavenger in a proportion of between about 1.5% and about 10% by weight of the fluid composition, the acid scavenger comprising an epoxide compound;

(e) a 2,4,6-trialkylphenol in a proportion of between about 0.1% and about 1.0% by weight of the fluid composition;

(f) a di(alkylphenyl)amine in a proportion of between about 0.3% and about 1.0% by weight of the fluid composition; and

(g) a hindered polyphenol selected from the group consisting of bis(3,5-dialkyl-4-hydroxyaryl)methane, 1,3,5-trimethyl-2,4,6-tris(3,5-di-tert-butyl-4-hydroxyaryl)benzene and mixtures thereof in a proportion of between about 0.3% and about 1.0% by weight of the fluid composition.

**REMARKS**

Claims 105 and 106 are newly added. Claims 105 and 106 are being added to incorporate the independent claims that correspond to independent reissue claims 120 and 134 as pending in the merged reexamination/reissue proceeding as of the Housekeeping Amendment dated May 26, 1998 and subsequent Office Action dated August 19, 1998. The viscosity index improver recited in part (b) and the anti-erosion additive in part (c) of claims 105 and 106 have been amended from that recited in claims 90 and 104. Support for the amendment to part (b) can be found in the U.S. 5,464,551 patent specification at least at col. 8, lines 30-41 which reads as follows:

Preferably, the viscosity index improver comprises a poly(alkyl methacrylate) ester of the type described in U.S. Pat. No.